



May 25, 2000 (Updated As Necessary)

## **Summary of Amendments Made in Order Under the Rule to H.R. 1 - No Child Left Behind Act of 2001**

**NOTE:** RSC comments are based on staff discussion with various offices. In no way do they represent a formal RSC position.

**Boehner Manager's Amendment:** Besides making various technical and conforming changes, the amendment clarifies how Bureau of Indian Affairs (BIA) schools will be treated under the Act and includes a new section requiring a study on the effects of testing on students in elementary and secondary schools (changes in curriculum, dropout rates, costs, etc). (10 minutes)

*Chairman Boehner – Supports*

*RSC – No Known Opposition*

*Agreed to by voice vote.*

**Capps:** Allows funding under Title IV (block grants) to be used for CPR training in schools. (10 minutes)

*Chairman Boehner – Does Not Oppose*

*RSC – No Known Opposition*

*Agreed to by recorded vote: 421 – 2 (Roll no. 128)*

**Dunn/Frost:** Allows local educational agencies to spend more of their federal funds to hire School Resource Officers (staff devoted to drug and violence prevention). The current bill caps expenditures at 20% of the funds received under the Safe Schools program. (10 minutes)

*Chairman Boehner – Supports*

*RSC – Most RSC Members Will Likely Support (expands local flexibility)*

*Agreed to by recorded vote: 420 - 3 (Roll no. 131).*

**Graves:** Expresses the Sense of Congress that the Department of Education, states, and local educational agencies work together to ensure that at least 95 percent of all funds appropriated for elementary and secondary education programs administered by the Department of Education is spent directly to improve the academic achievement of children in classrooms. (10 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Eagle Forum – Supports*

*Family Research Council – Supports*

*Agreed to by recorded vote: 422 - 0 (Roll no. 129)*

**Hill:** Allows funding under Title IV (block grants) to be used for the creation of smaller learning communities. (10 minutes)

*Chairman Boehner – Does Not Oppose*

*RSC – Many RSC Members Will Likely Support (expands allowable uses)*

Agreed to by voice vote.

**Hoekstra/Frank:** Strikes language requiring annual state assessments in reading and math for grades 3-8 and retains current law for state assessments, requiring that states measure students once during three grade levels 3-5, 6-9, and 10-12 in all subjects for which the state has developed standards. (30 minutes)

*Chairman Boehner – Opposes*

*RSC – Most RSC Members Will Likely Support*

*Christian Coalition – Supports*

Failed by recorded vote: 173 - 255 (Roll no. 130).

**Dooley:** Requires State report cards to include information that compares the actual achievement levels of all students and subgroups of students (economically disadvantaged; major racial and ethnic groups; students with disabilities; and students with limited English proficiency) against the State's annual numerical objectives; to include a "clear and concise" description of the State's accountability system, including a description of the criteria used by the State to evaluate school performance; and to determine whether a school enters school improvement, corrective action or reconstitution. (10 minutes)

*Chairman Boehner – Does Not Oppose*

*RSC – Some RSC Members May Oppose (expands the report card mandate)*

Agreed to by voice vote.

**Vitter/Sessions:** Requires those secondary education institutions that accept federal funds to permit military recruiters to visit the school. (10 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

Agreed to by recorded vote: 366 - 57 (Roll no. 133).

**Tiberi/Castle:** Allows 100 school districts that are already meeting their State's definition of adequate yearly progress to enter into performance agreements with the Secretary. No more than two school districts per state may participate. Under these agreements, school districts would be able to consolidate up to 100% of funding for four federal ESEA programs with total authorized funding of approximately \$5.5 billion in FY 2002 (Teachers, Innovative Programs, Safe and Drug Free, and Technology), use those funds for any educational purposes permitted under the Act, and be relieved of the requirements of those programs from which they transferred or consolidated funds. (30 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Family Research Council – Supports*

Agreed to by recorded vote: 217 - 209 (Roll no. 132).

**Hoekstra:** Increases the 50 percent transferability cap for local educational agencies to 75 percent upon approval from the state. (See RSC Handout "Straight A's vs. Local Transferability" for more information about the transferability provisions in the current bill.) (20 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Family Research Council -- Supports*

Failed by recorded vote: 191 - 236 (Roll no. 137).

**Meek:** Amends Rep. Osborne's new Mentoring Program so that both adults and qualified, trained and motivated high school students can be mentors. (10 minutes)

*Chairman Boehner – Supports*

*RSC – Some RSC Members May Support (slightly expands local flexibility)*

Agreed to by voice vote.

**Rogers (MI):** Requires the Secretary of Education to promote state-sponsored college savings plans. (10 minutes)

*Chairman Boehner – Supports*

*RSC – No Known Opposition*

Agreed to by voice vote.

**Norwood/Barr/Graves:** Authorizes school personnel to discipline a student with a disability who has a weapon, knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance, or commits aggravated assault or battery at a school in the same manner as they would discipline a non-disabled student who has committed the same offense, including suspension or expulsion. A disabled child who is disciplined under this amendment would be able to assert a defense that the possession of a weapon, or possession or use of illegal drugs, or sale or solicitation of a controlled substance, was unintentional or innocent. (A similar amendment passed the House in the 106<sup>th</sup> Congress by a vote of 300-128 – Roll Call # 227) (20 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

Agreed to by recorded vote: 246 - 181 (Roll no. 138).

**Graham/Tiahrt:** "Parental Freedom of Information" amendment prohibits funding for any educational entity that

- 1) denies parents the right to inspect and review instructional materials and surveys (does not include academic tests or assessments),
- 2) fails to require informed written parental consent prior to any student being required to undergo non-emergency medical, mental health examination, testing or treatment while at school, and
- 3) fails to require informed written parental consent prior to any student being required to take any survey, analysis or evaluation that reveals personal information or seeks responses on material inappropriate for children (includes sex behavior, political affiliation, and religious practices). (20 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Eagle Forum – Supports*

*Christian Coalition – Supports*

*Family Research Council – Supports*

Agreed to by voice vote.

**Armey/Boehner/DeLay:** Restores the private school choice language originally included in H.R. 1 as introduced, including:

- 1) Authorizing private school choice for students who have attended low-performing schools for 3 years (Students attending a private school must still complete the required annual reading and math tests in grades 3-8 and at least once during grades 10-12. Students may only attend a private school until they complete the grade corresponding to the highest grade offered at the public school the child previously attended.);
- 2) Authorizing private school choice as a local use of funds under Title IV block grants; and

3) Authorizing private school choice for students attending unsafe schools or for students who have been victims of crime. (40 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Eagle Forum – Supports*

*Christian Coalition – Supports*

*Family Research Council – Supports*

Failed by recorded vote: 155 - 273 (Roll no. 135).

**Armey/DeLay/Watts/Lipinksi:** Authorizes \$50 million in FY 2002 and such sums as may be necessary for the next four years to make up to 5 grants for school choice demonstration projects involving public and private schools. Individual tuition assistance is limited to public school students who qualify for a free or reduced lunch and individual tuition assistance is capped at \$5,000. The amendment requires the establishment of an independent review panel. (20 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Christian Coalition – Supports*

*Family Research Council – Supports*

Failed by recorded vote: 186 - 241 (Roll no. 136).

**Akin:** Adds that the testing required in Section 1111(b)(4) be a test of objective knowledge, based on measurable, verifiable and widely accepted professional testing and assessment standards, and shall not assess the personal opinions, attitudes, or beliefs of the student being tested. (10 minutes)

*Chairman Boehner – Does Not Oppose*

*RSC – Most if Not All RSC Members Will Likely Support*

*Eagle Forum – Supports*

*Christian Coalition – Supports*

*Family Research Council – Supports*

Agreed to by voice vote.

**Stearns:** Requires that the state educational agencies report to the Department of Education, those schools that are in the process of school improvement and indicate the specific category of status: school improvement, corrective action or reconstruction. (10 minutes)

*Chairman Boehner – Supports*

*RSC – Many RSC Members Will Likely Support*

Agreed to by recorded vote: 361 - 67 (Roll no. 139).

**Trafficant:** Expresses the Sense of the Congress that all construction related activities resulting from funding authorized under the Act shall use American-made steel and that all purchasing shall comply with the requirements of the Buy America Act. Requires that all recipients of assistance under the Act be notified of the Sense of Congress Provision. (10 minutes)

*Chairman Boehner – Does Not Oppose*

*RSC – Many RSC Members Will Likely Support*

Agreed to by recorded vote: 415 - 9 (Roll no. 140).

**Brady (TX):** Provides that no educator, administrator, or school board member shall be liable (includes specific prohibition on punitive damages) for harm caused by an act or omission in disciplining a student(s) provided that the teacher is acting within the scope of his duties and the actions are in conformity with applicable law. The amendment

preempts state law unless state law provides additional protection. States may opt-out of the provisions of the amendment by passing a statute that contains no other provisions except a declaration that the State opts-out. A similar amendment passed the House last year by a vote of 300 to 126 – Roll Call 229. (20 minutes)

*Chairman Boehner – Supports*

*RSC – Some RSC Members May Oppose Because of the State Preemption, Others Are Likely to Support*

Agreed to by recorded vote: 239 - 189 (Roll no. 141).

**Mink:** Requires that schools identified for improvement establish a program of mentoring for teachers with 3 years or less experience. (10 minutes)

*Chairman Boehner – Does Not Oppose*

*RSC – Some RSC Members May Oppose (further mandate on local schools)*

Agreed to by voice vote.

**Wamp/Etheridge:** Increases the authorization for character education from \$25 million to \$50 million for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2006. In FY 2001, funding totaled \$9.3 million. (10 minutes)

*Chairman Boehner – Supports*

*RSC – Some RSC Members May Oppose (additional spending)*

Agreed to by voice vote.

**DeMint:** Allows 7 state educational agencies (SEAs) and 25 local educational agencies (LEAs) to participate in a Straight A's program under which they would be granted flexibility from federal rules, regulations, and funding allocations in exchange for demonstrating improvement in excess of the adequate yearly progress otherwise required. Specifically, the amendment would:

- 1) Allow states to combine funds from federal formula grants programs administered at the state level with total authorized funding of approximately \$19.3 billion in FY 2002 (including Title I, Public School Choice, Even Start, Comprehensive School Reform, Teachers, Bilingual Education, Innovative Programs, Safe and Drug Free, 21<sup>st</sup> Century Learning Centers, and Technology) and use such funds for any purpose authorized under any of the programs listed, except that Title I funds must still be targeted to the school level for disadvantaged children.
- 2) States would be freed from most of the requirements of the individual programs. However, if they include Title I in their Performance Agreement, the accountability requirements (including testing) under Title I would still apply.
- 3) If states or schools fail to meet the terms of the performance agreement they are subject to sanctions, including reverting back to current funding guidelines.

The DeMint language tracks the language currently in the Senate bill and was agreed to in a compromise with Senators Frist, Hutchinson, and Kennedy. (30 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Eagle Forum – Supports*

*Christian Coalition -- Supports*

*Family Research Council – Supports*

Amendment Withdrawn

**Hilleary:** Prohibits funding for public elementary and secondary schools that discriminate against the Boy Scouts of America in providing equal access to school premises or facilities. (10 minutes)

*Chairman Boehner – Supports*

*RSC – Most if Not All RSC Members Will Likely Support*

*Eagle Forum – Supports*  
*Christian Coalition – Supports*  
*Family Research Council -- Supports*

[Agreed to by voice vote](#)

**Velázquez:** Requires that states that exercise the option to require a matching contribution from local entities under the 21<sup>st</sup> Century Community Learning Grants allow the local entities to meet the matching requirement with in-kind contributions. (10 minutes)

*Chairman Boehner – Supports*  
*RSC –Most RSC Members Will Likely Support*

[Agreed to by voice vote.](#)

**Kirk:** Sense of Congress that Sections 8002 (Federal Property) and 8003 (Federally Connected Children) of the Impact Aid Program should be fully funded. (10 minutes)

*Chairman Boehner – Supports*  
*RSC –No Known Opposition*

[Agreed to by recorded vote: 425 - 3 \(Roll no. 142\).](#)

**Hoeffel:** Clarifies that localities can spend Title V, Part B (technology) funding to provide leave time to teachers so they can attend technology training classes. (10 minutes)

*Chairman Boehner – Does Not Oppose*  
*RSC –Many RSC Members Will Likely Support (Clarification of Current Authority)*

[Agreed to by voice vote.](#)

**Cox:** Notwithstanding any other provision of the Act, total authorizations would be capped at \$20.5 billion representing an 11.5% increase over the amount appropriated last year. Authorizes annual 3.5% increases after Fiscal Year 2002. The current bill authorizes a spending increase of approximately 25%. (20 minutes)

*Chairman Boehner – Opposes*  
*RSC – Most if Not All RSC Members Will Likely Support*

[Failed by recorded vote: 101 - 326 \(Roll no. 143\).](#)

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- *Summaries Based on Information Provide By Sponsor and RSC Staff Analysis*
  - *Chairman Boehner's Position Taken From Education and Workforce Information*
  - *RSC Comments Based on Staff Discussion With Members and Do Not Represent a Formal Position of the Group*
  - *Outside Group Positions Based on Information Forwarded to the RSC*
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The views expressed above may not reflect the views of all Members of the Republican Study Committee.